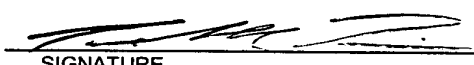


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>GB9-2002-0038-US1</b> U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/522136</b>
INTERNATIONAL APPLICATION NO. <b>PCT/GB2003/003032</b>	INTERNATIONAL FILING DATE <b>July 11, 2003</b>	PRIORITY DATE CLAIMED <b>July 24, 2002</b>
TITLE OF INVENTION <b>Asynchronous Messaging In Storage Area Network</b>		
APPLICANT(S) FOR DO/EO/US <b>International Business Machines Corporation</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language <b>copy</b> translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <b>Items 11 to 20 below concern document(s) or information included:</b> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input checked="" type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information:		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/522136</b>		INTERNATIONAL APPLICATION NO. PCT/GB2003/003032		ATTORNEY'S DOCKET NUMBER GB9-2002-0038-US1	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$ 200	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$ 500	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$1,000	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	30 - 20 =	10	x \$50.00	\$ 500	
Independent claims	6 - 3 =	3	x \$200.00	\$ 600	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,100	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$2,100	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$2,100	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$2,100	
Amount to be refunded:					\$
Amount to be charged					\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>501336</u> . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
Rochelle Lieberman, Esq. Lieberman & Brandsdorfer, LLC 12221 McDonald Chapel Drive Gaithersburg, MD 20878					
				 SIGNATURE	
				Rochelle Lieberman NAME	
				39,276 REGISTRATION NUMBER	

GB9-2002-0038-US1

10/522136  
DT15 Rec'd PCT/PTO 24 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Patent Application Transmittal**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop: PCT

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No.: ED372462884US  
Date: January 24, 2005

I hereby certify that I am depositing the enclosed or attached paper with the U.S. Postal Service "Express Mail Post Office to Addressee" service on the above date, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop: PCT.

  
Rochelle Lieberman, Reg. No. 39,276

Sir:

Transmitted herewith for filing is the Patent Application of:

Inventor: **Pennington**  
Entitled: **Asynchronous Messaging In Storage Area Network**

Enclosed are:

- ▶ 16 pages of original specifications, claims and abstract
- ▶ 2 sheets of drawings
- ▶ 14 pages of Substitute Specification
- ▶ 19 pages of Substitute Specification With Markings
- ▶ 9 pages of Preliminary Amendment
- ▶ 2 pages of Transmittal Letter Concerning A Submission Under 35 U.S.C. §371
- ▶ 2 pages of a Declaration and Power of Attorney

The filing fee has been calculated as follows:

Other Than Small Entity

For:	No. Filed	No. Extra	Rate	Fee
Basic Filing Fee				\$300.00
Utility Search Fee				\$500.00
Utility Examination Fee				\$200.00
Total Claims	30 -20 =	10	x \$50.00=	\$500.00
Indep. Claims	6 -3 =	3	x \$200.00=	\$600.00

Patent Application Transmittal

GB9-2002-0038-US1

<input type="checkbox"/> Multiple Dependent Claim Presented	\$260.00	\$0.00
TOTAL		\$2,100.00

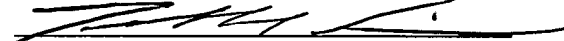
## Payment Authorization:

- ☒ A credit card payment form in the amount of \$2,100.00 made payable to "Commissioner of Patents and Trademarks" to cover the filing fee is also enclosed. Please stamp the postcards indicating the serial number assigned to this patent application.

## Deposit Account Authorization:

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- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 501336. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. §1.16.
- ☒ Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

By: Rochelle Lieberman  
Registration No. 39,276

Lieberman & Brandsdorfer, LLC  
12221 McDonald Chapel Drive  
Gaithersburg, MD 20878  
Phone: (301) 948-7775  
Fax: (301) 948-7774  
email: [rocky@legalplanner.com](mailto:rocky@legalplanner.com)

Date: January 24, 2005

GB9-2002-0038-US1

<input type="checkbox"/> Multiple Dependent Claim Presented	\$260.00	\$0.00
TOTAL		\$2,100.00

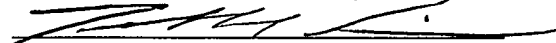
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- ☒ Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

By: 

Rochelle Lieberman  
Registration No. 39,276

Lieberman & Brandsdorfer, LLC  
12221 McDonald Chapel Drive  
Gaithersburg, MD 20878  
Phone: (301) 948-7775  
Fax: (301) 948-7774  
email: [rocky@legalplanner.com](mailto:rocky@legalplanner.com)

Date: January 24, 2005